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Counsel to the Official Committee of Unsecured Creditors

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Chapter 11
)	
CELSIUS NETWORK LLC, <i>et al.</i> , ¹)	Case No. 22-10964 (MG)
)	
Debtors.)	(Jointly Administered)
)	

**CERTIFICATE OF NO OBJECTION UNDER 28 U.S.C. § 1746 REGARDING
THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS' APPLICATION
FOR ENTRY OF AN ORDER AUTHORIZING THE EMPLOYMENT AND
RETENTION OF ELEMENTUS INC. AS BLOCKCHAIN FORENSICS
ADVISOR TO THE COMMITTEE EFFECTIVE AS OF AUGUST 1, 2022**

¹ The Debtors in these chapter 11 cases and the last four digits of their federal tax identification number are as follows: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); and Celsius US Holding LLC (7956). The location of Debtor Celsius Network LLC's principal place of business and the Debtors' service address in these chapter 11 cases is 121 River Street, PH05, Hoboken, New Jersey 07030.

Pursuant to 28 U.S.C. § 1746 and Rule 9075-2 of the Local Bankruptcy Rules for the Southern District of New York (the “**Local Rules**”), and in accordance with this Court’s case management procedures set forth in the *Final Order (I) Establishing Certain Notice, Case Management, and Administrative Procedures and (II) Granting Related Relief*, entered on August 17, 2022 [Docket No. 528] (the “**Case Management Order**”), the undersigned hereby certifies as follows:

1. On July 13, 2022, Celsius Network LLC and its affiliated debtors and debtors in possession (collectively, the “**Debtors**”) commenced with this Court these voluntary cases under chapter 11 of the U.S. Code. On August 24, 2022, the Official Committee of Unsecured Creditors (the “**Committee**”) filed *The Official Committee of Unsecured Creditors’ Application for Entry of an Order Authorizing the Employment and Retention of Elementus Inc. as Blockchain Forensics Advisor to the Committee Effective as of August 1, 2022* [Docket No. 605] (the “**Retention Application**”).² Attached to the Retention Application was a proposed order approving the Retention Application (the “**Proposed Order**”).

2. The Committee served the Retention Application and Proposed Order as reflected in the affidavit of service filed at Docket No. 771.

3. Paragraph 31 of the Case Management Order provides “[i]f no Objection to a Request for Relief is filed after the Request for Relief is filed and served in a timely fashion, the movant may email a proposed order granting the Request for Relief to the Court’s chambers . . . along with a certificate of no objection . . . stating that no Objection has been filed or served on the movant. By filing such certification, counsel for the movant represents to the Court that the

² On August 12, 2022 the Committee filed the *Notice of Corrected Exhibits to the Kroll Application* [Docket No. 443] to make certain corrections to the exhibits filed with the Retention Application.

movant is unaware of any Objection to the Request for Relief and that counsel has reviewed the Court's docket and no Objection appears thereon."

4. In accordance with the Case Management Order, responses to the Retention Application were due no later than September 7, 2022 at 4:00 p.m. (prevailing Eastern Time) (the "**Objection Deadline**"). Subsequently, the Court adjourned the hearing on the Retention Application to October 6, 2022, and extended the objection/response deadline to September 29, 2022, at 4:00 p.m., prevailing Eastern Time, solely for the U.S. Trustee. Docket No. 747. Thereafter, the Court adjourned the hearing on the Retention Application to October 20, 2022, at 10:00 a.m., prevailing Eastern Time, and extended the objection/response deadline to October 13, 2022, at 4:00 p.m., prevailing Eastern Time. Docket No. 927.

5. Local Rule 9075-2 provides that a motion or application may be granted without a hearing if (a) no objections or responsive pleadings have been filed or served before 48 hours after the relevant objection deadline, and (b) the attorney for the entity that filed the pleading complies with the relevant procedural and notice requirements.

6. As of the filing of this certificate, to the best of my knowledge, no responsive pleadings to the Retention Application have been (a) filed with the Court on the docket of the above-captioned chapter 11 cases or (b) served on the Committee or their proposed counsel.

7. Accordingly, the Debtors respectfully request entry of the Revised Proposed Order attached hereto as **Exhibit A** (the "**Revised Proposed Order**"), be entered in accordance with the Case Management Order and Local Rule 9075-2. A redline comparison of the Proposed Order and the Revised Proposed Order is attached hereto as **Exhibit B**. The modifications reflected in the Revised Proposed Order incorporate certain revisions requested by the U.S. Trustee, as well as certain conforming and non-substantial changes.

8. I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: October 11, 2022
New York, New York

Respectfully submitted,

/s/ Gregory F. Pesce

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